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Joseph J. Mulieri  
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August 29, 1997

DOCKET FILE COPY ORIGINAL

RECEIVED

AUG 29 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Rm. 222  
Washington, D.C. 20554

**Re: Request for Limited Modification of LATA Boundary to Provide ELCS  
Between the Bell Atlantic-Virginia, Inc. (BA-VA) Charles City and Toano  
Exchanges; CC Docket No. 96-159**

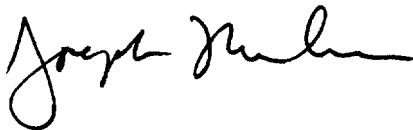
Dear Mr. Caton:

Bell Atlantic-Virginia, Inc. (BA-VA) hereby submits this request for a LATA boundary modification to provide expanded local calling service (ECLS) between the Charles City and Toano exchanges.

In its order released July 15, 1997<sup>1</sup> ("Order"), the Commission established an ongoing process for requesting LATA boundary modifications to provide ELCS. This request is filed pursuant to the provisions contained in that order. Attached please find the support documentation required by the Commission to approve the requested modification.

Should you have any questions regarding this material please do not hesitate to contact me.

Sincerely,



Attachment

cc: G. Matise  
P. Geer

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<sup>1</sup> "In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ECLS) at Various Locations", CC Docket No. 96-159, released July 15, 1997.

**Request for Limited Modification of LATA Boundaries to Provide ELCS Between Bell Atlantic - Virginia's Charles City and Toano Exchanges**

- (1) **Type of Service**  
Traditional Local Service, Non Optional ELCS
- (2) **Direction of Service**  
Two-way
- (3) **Exchanges Involved**  
ELCS between the Charles City exchange located in the Richmond, Virginia LATA and the Toano exchange located in the Norfolk, Virginia LATA.
- (4) **Name of Carriers**  
Charles City - Bell Atlantic - Virginia  
Toano - Bell Atlantic - Virginia
- (5) **State Commission Approval**  
Attached is a Virginia State Corporation Commission staff report and a Final Order approving ELCS for this route.
- (6) **Number of Network Access Lines**  
Charles City Exchange - 2,487  
Toano Exchange - 4,067
- (7) **Usage Data**  
Messages per main station per month  
Charles City to Toano - .43  
Toano to Charles City - .26  
  
Percent of subscribers making calls  
Charles City to Toano - Data not available  
Toano to Charles City - Data not available
- (8) **Poll Results**  
Charles City to Toano  
Fifty-nine percent of those responding voted for ELCS.  
  
Toano to Charles City  
Public notice was provided to the Toano exchange customers via newspaper display advertisement. No comments or requests for public hearing were received.

(8) **Poll Results** (Continued)

**ELCS Rate Increase - Charles City (Continued)**

**Residential**

|               |        |
|---------------|--------|
| Flat Rate     | \$0.11 |
| Message Rate  | \$0.07 |
| Measured Rate | \$0.07 |
| Exchange Only | \$0.10 |
| Economy       | \$0.04 |

**Business**

|                    |        |
|--------------------|--------|
| Flat Rate Line     | \$0.40 |
| Message Rate Line  | \$0.09 |
| Measured Rate Line | \$0.09 |
| Flat PBX Trunk     | \$0.63 |
| Message PBX Trunk  | \$0.09 |
| Measured PBX Trunk | \$0.09 |

**ELCS Rate Increase - Toano**

**Residential**

|               |        |
|---------------|--------|
| Flat Rate     | \$0.06 |
| Message Rate  | \$0.04 |
| Measured Rate | \$0.04 |
| Exchange Only | \$0.05 |
| Economy       | \$0.02 |

**Business**

|                    |        |
|--------------------|--------|
| Flat Rate Line     | \$0.23 |
| Message Rate Line  | \$0.05 |
| Measured Rate Line | \$0.05 |
| Flat PBX Trunk     | \$0.36 |
| Message PBX Trunk  | \$0.05 |
| Measured PBX Trunk | \$0.05 |

(9) Community of Interest Statement

Charles City is a rural exchange located west of Williamsburg in Charles City County. The Toano/Williamsburg area is the closest commercial center to most Charles City subscribers. Many shopping areas and hotels/motels are located in the Toano exchange. An industrial park is also under development there. Many historical plantations are located in the Charles City exchange. Visitors to these sites will look to the Toano/Williamsburg area for lodging and other amenities. Charles City is also starting to become a "bedroom community" for both Williamsburg and Richmond. Local calling will enhance the economic development of the area and meet customers' needs to reach a nearby commercial center on a local basis.

(10) Maps

Maps are attached for the Charles City and Toano exchanges.

(11) Other Pertinent Information

Chronology

On December 11, 1995, Bell Atlantic - Virginia's Charles City exchange subscribers petitioned the Virginia State Corporation Commission for Extended Local Calling Service (ELCS) to the Toano exchange. The Commission directed Bell Atlantic - Virginia to determine the change in monthly rates to provide ELCS from Charles City to Toano. Bell Atlantic - Virginia surveyed all of its Charles City subscribers regarding their willingness to pay the additional rates. Fifty-nine percent of the subscribers responding voted favorably.

The Commission then directed Bell Atlantic - Virginia to determine rates for ELCS calling from Toano to Charles City. Bell Atlantic - Virginia provided public notice via newspaper display advertising to its Toano subscribers. No comments or requests for a public hearing were received.

On April 10, 1997, the State Corporation Commission issued a Final Order approving Extended Local Calling Service between Charles City and Toano.

Virginia State Code, Section 56-484.2

This section of the Virginia State Code allows customers to petition the State Corporation Commission for ELCS. A copy of this section is attached.

**Attachments**

**Virginia State Corporation Commission Public Notice report of Alan R. Wickham in Case No. PUC960147**

**Virginia State Corporation Commission Final Order in Case No. PUC960147**

**Charles City exchange map**

**Toano exchange map**

**Virginia LATA map**

**Virginia State Code, Section 56-484.2**

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COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
DIVISION OF COMMUNICATIONS

PUBLIC NOTICE REPORT OF  
ALAN R. WICKHAM

PUC960147

C  
APPLICATION OF BELL ATLANTIC - VIRGINIA, INC.  
TO IMPLEMENT EXTENDED LOCAL SERVICE  
FROM ITS TOANO EXCHANGE  
TO ITS CHARLES CITY EXCHANGE

March 26, 1997

APPLICATION OF BELL ATLANTIC - VIRGINIA, INC.  
TO IMPLEMENT EXTENDED LOCAL SERVICE  
FROM ITS TOANO EXCHANGE  
TO ITS CHARLES CITY EXCHANGE

CASE NO. PUC960147

BACKGROUND

On August 6, 1996, Bell Atlantic - Virginia, Inc. (BA-VA) surveyed its Charles City exchange customers for Extended Local Service (ELS) into the Toano exchange. The survey, which ended on September 11, 1996, was in response to a customer petition, and was conducted pursuant to Virginia Code Section 56-484.2. ELS is flat rate two-way calling between two or more exchanges on a seven digit dialing basis. The result of the poll was as follows:

|                      |             |
|----------------------|-------------|
| Total Ballots Mailed | 2,141       |
| Customers Responding | 788 (36.8%) |
| Number of Responses: |             |
| Yes                  | 464 (58.9%) |
| No                   | 324 (41.1%) |

The proposal for ELS from the Charles City exchange into the Toano exchange met the polling requirements of § 56-484.2.

On November 26, 1996, BA-VA filed an application pursuant to provisions of § 56-484.2 proposing to notify its Toano exchange subscribers of the increases in monthly rates that would be necessary for extending their local service to include the Charles City exchange.

The Commission entered an Order Prescribing Notice of the application on December 19, 1996. The Company was ordered to publish notice in newspapers of general circulation in the Toano exchange. A poll was not required because the proposed

rate increase for one-party residential customers does not exceed five percent of the existing one-party monthly rate. Affected telephone customers were given until March 17, 1997 to file comments or request a hearing on the proposal.

On February 13, 1997, BA-VA filed proof of notice as required by the Commission's Order of December 19, 1996. Notice was published twice as display advertising in the Daily Press and in The Virginia Gazette. No comments or requests for a hearing were received in this Case.

### **PROPOSED RATE INCREASES**

Under this proposal, monthly rates in the Toano exchange would increase as follows: flat rate residential service, \$0.06; residential exchange only service, \$0.05; residential message rate or measured rate service, \$0.04; residential economy service, \$0.02; business flat rate service, \$0.23; business message rate lines or trunks, \$0.05; business measured rate lines or trunks, \$0.05; flat rate PBX trunks, \$0.36; and semi-public coin service, \$0.14.

### **RECOMMENDATION**

Approval of BA-VA's application to implement ELS between its Toano exchange and its Charles City exchange is recommended. This is presently an interLATA (Norfolk/Richmond) toll route.



COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

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APPLICATION OF

AT RICHMOND, APRIL 10, 1997

BELL ATLANTIC-VIRGINIA, INC.

CASE NO. PUC960147

To implement extended local  
service from its Toano exchange  
to its Charles City exchange

FINAL ORDER

On November 26, 1996, Bell Atlantic-Virginia, Inc. ("BA-VA" or the "Company") filed an application with the State Corporation Commission ("Commission") pursuant to the provisions of Va. Code § 56-484.2. BA-VA proposed to notify its Toano exchange subscribers of the increases in monthly rates that would be necessary to extend their local service to include the Charles City exchange. Customers in the Charles City exchange had previously petitioned the Commission for local calling to Toano. In a poll in response to the petition, a majority of Charles City customers supported paying higher rates for local calling to Toano. A poll of Toano subscribers in response to this application was not required under Va. Code § 56-484.2(A) because the proposed rate increase does not exceed 5% of the existing monthly one-party residential rate.

By order dated December 19, 1996, the Commission directed BA-VA to publish notice of the proposed increase. Affected telephone customers were given until March 17, 1997, to file comments or request a hearing on the proposal. No comments or requests for hearing were filed. On February 13, 1997, BA-VA filed proof of notice as required by the Commission's December 19, 1996 order.

On March 27, 1997, the Commission's Staff submitted its report regarding the Company's application. The Staff recommended that BA-VA's application to implement extended local service from its Toano exchange to its Charles City exchange be approved. Accordingly,

IT IS THEREFORE ORDERED THAT:

- (1) The proposed extension of local service from BA-VA's Toano exchange to its Charles City exchange shall be implemented.
- (2) The Company shall implement the tariff revisions necessary for the proposed extension of local service.
- (3) There being nothing further to come before the Commission, this docket is closed and the papers filed herein shall be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Warner F. Brundage, Jr., Esquire, 600 East Main Street, 24th Floor, Richmond, Virginia 23219; Gail D. Jaspen,

Senior Assistant Attorney General, Division of Consumer Counsel,  
Office of the Attorney General, 900 East Main Street, Second  
Floor, Richmond, Virginia 23219; and the Commission's Division of  
Communications.

A True Copy  
Test:

*William J. Bridge*

Clerk of the  
State Corporation Commission

## ARTICLE 4.

## Extension and Reduction of Telephone Service

**§ 56-484.2. Extension or reduction upon poll of certain subscribers.**

— A. Upon petition of five percent but in no case less than twenty-five of the subscribers in an established telephone exchange for an extension or reduction of their local service area to include or exclude a contiguous local exchange or exchanges, or upon resolution of the governing body of a county for a countywide local service area, the Commission shall estimate the approximate change in the monthly rate for service which will result from such extension or reduction. In the case of a governing body resolution for countywide calling, the Commission, prior to estimating the approximate rate change, shall determine which exchanges within the county have a community of interest calling percentage that is fifty percent or greater in at least one direction to at least one other exchange within the county. The Commission shall then undertake to estimate the approximate change in the monthly rate for service that will result from such expanded local calling area for each such exchange. The Commission shall order the affected company or companies to poll those subscribers whose monthly rate for service would change if the proposed changes were adopted. However, polls shall not be required in the exchange or exchanges to which the petitioners desire an extension of local service if (i) any resulting rate increases in any twelve-month period do not, in the aggregate, exceed five percent of the existing monthly one-party residential flat rate service for the affected exchange to which the petitioners desire an extension of local service or (ii) any resulting rate increases in any twelve-month period, in the aggregate, exceed five percent solely due to rate regrouping. No more than one petition for a poll from the same group of subscribers or resolution from the governing body of a county shall be considered by the Commission during any three-year period. For purposes of determining the exchanges that will be polled pursuant to this subsection, *"community of interest calling percentage"* means the percentage of customers in an exchange that make one or more calls per month to another exchange within the county.

B. If a poll is required pursuant to subsection A and a majority of the subscribers are in favor of the proposed change, or if the Commission determines that a majority of subscribers voting are in favor of the proposed change, the Commission shall order the extension or reduction of their local service area. For the purposes of this section, the number of subscribers in an established telephone exchange shall be deemed to be the number of subscribers in an exchange as of January 1 of the calendar year when the petition is submitted to the Commission. Ballots polling subscribers on a proposed change in local service area shall be counted sixty days after being mailed and the results certified to the Commission.

C. If a poll is not required pursuant to subsection A, the Commission shall require notice to customers in exchanges in which polls are not required and shall convene a hearing on the proposed extension or reduction of the local calling area if the lesser of five percent or 150 of the customers within such exchanges request a hearing. The Commission may convene a hearing under this subsection on its own motion without regard to the number of customers who request a hearing.

D. Where the governing body of a county passes a resolution for a countywide local service area under subsection A and the poll for such service is defeated, the governing body shall reimburse the affected company or companies for the costs of the poll.

E. The Commission shall give the highest priority to petitions or resolutions presented under subsection A that involve exchanges in rural areas. (1976, c. 265; 1978, c. 232; 1985, c. 382; 1990, c. 339; 1993, c. 974; 1994, cc. 180, 347; 1995, c. 466.)

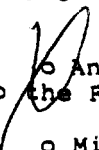
**The 1994 amendments.** — The 1994 amendment by c. 180, deleted the former next-to-last sentence in subsection A, which provided: "If subscriber polls are not required, the Commission shall proceed pursuant to the provisions of § 56-237.2"; and added subsection C.

1994 amendment by c. 347, in the first sentence of subsection B, deleted "that more than fifty percent of the subscribers have voted in the pool and" following "determines," and substituted "subscribers" for "those."

**The 1995 amendment,** in subsection A, inserted "or upon resolution of the governing body of a county for a countywide local service area" in the first sentence; added the present second and third sentences; inserted "or resolution from the governing body of a county" in the present sixth sentence, and added the seventh sentence; and added subsections D and E.

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